

**COUNTY OF SAN DIEGO
ADMINISTRATIVE MANUAL**

SUBJECT:	DISCRIMINATION COMPLAINTS FILED WITH THE COMMISSION	ITEM NUMBER	0080-04-8
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EFFECTIVE DATE:	SEPTEMBER 18, 1998 (REVISED)	PAGE	1 OF 2
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Purpose

To provide an orderly process for prompt resolution of employment discrimination complaints as provided for in Civil Service Rule VI.

Procedure

1. Filing of Complaint

- A. Complaints must be filed with the Commission within 60 calendar days of the alleged discriminatory practice (or knowledge thereof).
- B. The complaint should include the following information:
 - 1) the date(s) on which the alleged discriminatory practice occurred;
 - 2) a statement of essential facts;
 - 3) the basis of discrimination (i.e., race, color, creed, sex, age, national origin, handicap).

2. Office of Internal Affairs (OIA) Referral

- A. The Commission will refer the complaint to OIA for review and report back to the Commission within 60 calendar days from date of receipt, unless the matter is time sensitive necessitating a request by the Executive Officer for a more timely response.
- B. The Commission may investigate the complaint concurrently with OIA.
- C. If the complaint is resolved through County procedures by OIA, the Commission will receive and file the report.
- D. If OIA finds probable cause that an action of discrimination has occurred, the Commission will conduct a hearing.
- E. If, prior to the hearing, the discrimination complaint is remedied to the satisfaction of the investigating Commissioner, he/she may recommend to the Commission that a hearing not be held.

3. Commission Hearing.

- A. Within 5 working days after the Commission has determined to proceed with a hearing, a copy of the complaint, the OIA report, and any Commission investigative report shall be served on all parties.
- B. The hearing date will be scheduled within 20 working days after determination to proceed with a hearing.
- C. The Commission may issue temporary orders, as necessary, to maintain the status quo, as it existed at the time of filing the complaint, pending outcome of the hearing.

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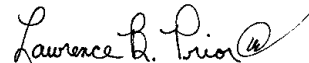
- D. The respondent must file an answer to the complaint within 5 working days from date of service. Failure to answer may be construed as an admission of the charges.
4. Decision
- A. The Commission's findings and decision shall be final.

Approved



Gordon L. Austin, President
Civil Service Commission

Approved



Lawrence B. Prior III
Chief Administrative Officer